

**UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT**

Form 7. Mediation Questionnaire

Instructions for this form: <https://www.ca9.uscourts.gov/forms/form7instructions.pdf>

9th Cir. Case Number(s) 2-15166

Case Name Center for Biological Diversity et al. v. NOAA Fisheries et al.

Counsel submitting this form Michelle Melton

Represented party/parties Appellants (Federal Defendants)

Briefly describe the dispute that gave rise to this lawsuit.

Plaintiffs (environmental conservation organizations) challenged the Biological Opinion prepared by the National Marine Fisheries Service, and relied on by the U.S. Coast Guard. They alleged that the document, which concerns the impact of Coast Guard-designated maritime "traffic separation schemes" in northern and southern California on listed species, was unlawful under the Endangered Species Act.

Briefly describe the result below and the main issues on appeal.

The district court held that Plaintiffs had standing and that the Biological Opinion was unlawful under the Endangered Species Act. The main issues on appeal could include whether the district court erred in concluding 1) that Plaintiffs have standing; 2) that the Biological Opinion was unlawful.

Describe any proceedings remaining below or any related proceedings in other tribunals.

N/A

Signature
(use "s/[typed name]" to sign electronically-filed documents)

Date